

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

MARK ELLIOTT FREEMAN,  
Plaintiff,

v.

HUGO CARVIS, JOHN HESS, HESS  
CORPORATION, AMERADA HESS, HOVENSA,  
UDCI, LITWIN CORP.,  
Defendants.

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)  
) **JUDGMENT IN A CIVIL CASE**  
) **CASE NO. 5:11-CV-611-F**  
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**Decision by Court.**

This action came before the Honorable James C. Fox, Senior United States District Judge, for ruling as follows.

**IT IS ORDERED, ADJUDGED AND DECREED** that pursuant to the court's order dated May 11, 2012, the Defendant John Hess' Motion to Dismiss is ALLOWED and plaintiff's claims against Defendant John Hess are DISMISSED for failure to state a claim.

**FURTHER, IT IS ORDERED ADJUDGED AND DECREED** that the Plaintiff's claims against remaining Defendants Hugo Carvis, Hess Corporation, Amerada Hess, Hovensa, UDCI and Litwin Corporation are DISMISSED without prejudice for failure to make timely service in accordance with Rule 4(m) of the Federal Rules of Civil Procedure. The Clerk of Court is DIRECTED to close this case.

**This Judgment Filed and Entered on June 12, 2012, and Copies To:**

Mark Elliott Freeman (via US Mail to P.O. Box 932, Fayetteville, NC 28302)  
Mark Douglas Eisler (via CM/ECF Notice of Electronic Filing)

DATE  
June 12, 2012

JULIE A. RICHARDS, CLERK  
\_\_\_\_\_  
/s/ Susan K. Edwards  
(By) Susan K. Edwards, Deputy Clerk